

CITY OF TALLAHASSEE	
<u>CITY COMMISSION AGENDA ITEM</u>	
ACTION REQUESTED ON:	March 12, 2003
SUBJECT/TITLE:	Ordinance Introduction Voluntary Annexation #03-O-1, Fred George Road-Goose Creek Developers
TARGET ISSUE:	N/A

#### STATEMENT OF ISSUE

The owner of one (Parcel ID #2117510001000) containing approximately 100 acres and fronting Fred George Road has petitioned for annexation into the City. The applicant has submitted a pre-application package for a site adjacent to this parcel that includes approximately 48 acres in the City and 9 acres in Leon County. No development proposals have been received for the land proposed for annexation.

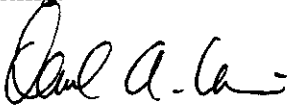
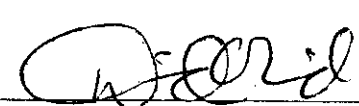
This property is vested through the Huntington Woods DRI to construct multi-family residential development of approximately 390 multi-family dwelling units in the Office Residential Railroad (OR/RR) component of the DRI and 327 multi-family dwelling units in the Multi-Family Southwest (MFSW) portion of the DRI. The portions of the land located in the Recreation and Powerline West districts are not vested for the development of units or square footage.

#### RECOMMENDED ACTION

Option 1. Introduce Ordinance #03-O-1, and set March 26, 2003 for a public hearing.

#### Fiscal Impact

In fiscal year 2002, this parcel had a taxable value of \$199,800. If the property had been in the City in 2002, property taxes in the amount of \$639 would have been generated. City water and sewer currently serve the area of the annexation. There are no costs associated with street lighting.

 Raoul A. Lavin, Interim Manager		 Anita R. Favors
Office of Budget and Policy		for City Manager

For Information, please contact: Raoul Lavin, ext. 8488

ITEM TITLE: ORDINANCE Introduction Voluntary Annexation #02-O-0091, Life Deliverance Ministries (3377 Jim Lee Road)

## SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

### History/Facts & Issues

The proposed annexation area consists of approximately 100 acres of undeveloped property fronting Fred George Road. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan.

### STATEMENT OF URBAN SERVICES

#### I. INTRODUCTION

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the Fred George Road/Goose Creek Developers annexation.

#### II. LAND USE

The area proposed for annexation consists of approximately 100 acres and is located within the Urban Services Area (USA). This property is within the old Huntington Woods Development of Regional Impact (DRI). The property is presently zoned R-3. The R-3 zoning allows residential dwelling units up to 8 units per acre. Current zoning for this property allows for the proposed development of approximately 230 single family attached residential units.

The developer is not required to submit a Notice of Proposed Change (NOPC) to the DRI if the property is annexed into the City. The City's Growth Management Department indicates that based upon the existing Huntington Woods NOPC, there is no need for submittal of a NOPC as long as the property is annexed and is developed according to the use and density or intensity set forth in the Leon County Development Order. The developer will be required to record a Notice of Annexation with the Clerk of the Circuit Court. The notice shall include the legal description of the annexed property. The developer has been made aware of these requirements.

There are a number of environmentally sensitive areas on this property. A large portion of this property is within a 100-year flood plain. This property contains wetlands, significant and severe slopes, and potential native or high quality successional forest. With the exception of a small portion, all of the property is within the special development zone for the Fred George Basin. This special development zone does not allow any development below the 110-foot elevation. Additionally 75% of the property in the A zone (108 feet) must be left in a natural state. Although this property does have development potential based on the previously approved DRI, there are some limitations based on the wetlands, flood plains and other environmental features.

The land proposed for annexation is also subject to the requirements of the Huntington Woods DRI Development Order (DO). The following conditions apply to the Multi-Family

/(SW) and the Office Residential/RR and Recreation districts to the West of Mission Road if annexed into the City:

1. The area that is within the Fred George Special Development Zone (SDZ) will be considered an altered floodplain.
2. One hundred percent of the severe slopes within the Fred George SDZ shall be preserved. More than fifty percent (50%) of the significant slopes inside the SDZ will be preserved. All severe slopes greater than 1/10th of an acre shall be preserved. All significant slopes outside the Fred George SDZ shall be deregulated. All preserved slopes shall be placed in a conservation easement.
3. The minimum 75% open space requirement will be met inside the Fred George SDZ area and a minimum 40% open space will be provided for the total district within which development is occurring. All open space areas shall remain in their natural state. No development activities can be authorized without an approved management plan.
4. All stormwater ponds will be placed at or above flood elevation of 99 and all roads, driveways and parking will be placed at or above flood elevation 102.5.
5. All habitable structures shall have an elevation of 105 or greater for the ground floor.

### III. URBAN SERVICES

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. Fire Protection Service - the City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #10 located on Tower Road and Fire Station #8 on Hartsfield Road can provide fire and emergency service to this area.
- B. Police Protection Service - Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- C. Street Maintenance and Right-of-Way Service - the City has a comprehensive public street construction and maintenance program. The City will assume responsibility for maintaining city-owned streets upon annexation.
- D. Traffic Planning and Control - the maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation. It should be noted that Fred George Road from Mission Road to Old Bainbridge Road is currently deficient and Mission Road from Gearhart Road to Fred George Road is approaching deficient status.
- E. Street Lighting - Tallahassee has a comprehensive program for the installation and maintenance of streetlights. Within one year after annexation, the City will install streetlights on major thoroughfares and on city-owned neighborhood streets by request.

- F. Parks and Recreation Services - currently there is sufficient capacity in all categories of parkland to accommodate this area.
- G. Bus Service - the City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. TalTran bus service is currently within two miles of the annexation area on Mission Road and Tharpe Street. Additionally, the Dial-A-Ride program, a specialized transportation service to citizens who are handicapped or over age sixty will be extended to this area upon annexation.
- H. Electric Service - the City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- I. Water Service - the City currently provides water services to the area proposed for annexation.
- J. Sewer Service - the City currently provides sewer services in the area proposed for annexation.
- K. Gas Service - the City generally provides natural gas service to a site when requested and after a feasibility analysis.
- L. Storm water Service - storm water services to the area will be provided at the same level as currently being provided to areas within the City.
- M. Solid Waste Service - solid waste collection and disposal services will be provided by the City upon annexation.

### **Options**

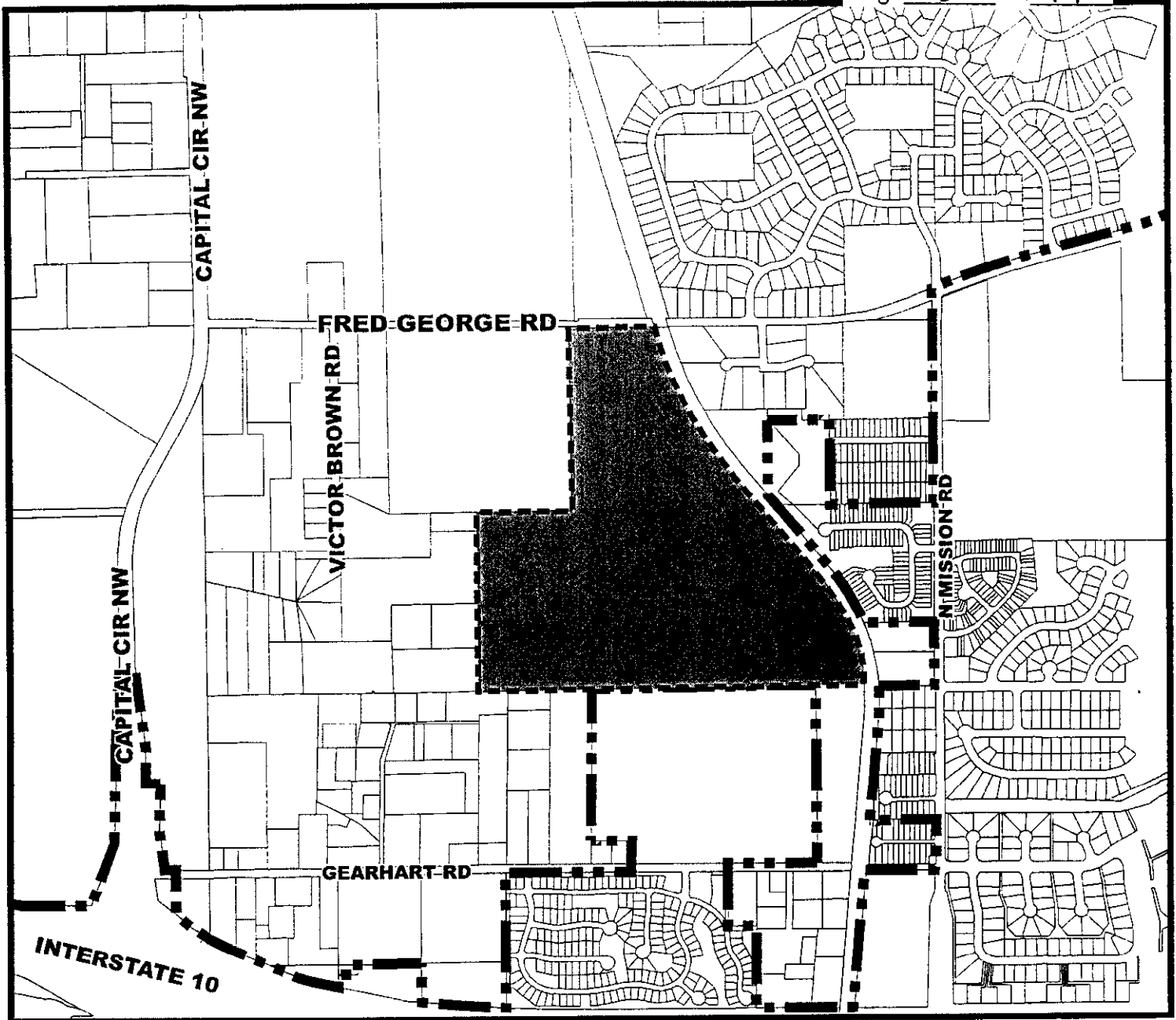
1. Introduce Ordinance #03-O-1, and set March 26, 2003 for a public hearing.
2. Modify the public hearing date.
3. Do not proceed with the requesting voluntary annexation.

### **Recommendation**

Option 1. Introduce Ordinance #03-O-1, and set March 26, 2003 for a public hearing.

### **ATTACHMENTS/REFERENCES**

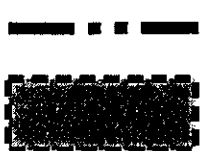
Attachment A - Location Map  
Attachment B - Growth Management Department Comments  
Attachment C - Planning Department Comments  
Attachment D - Water Utilities Comments  
Attachment E - Electric Utility Comments  
Attachment F - City Attorney Opinion  
Attachment G - Legal Department Comments  
Attachment H - Proposed Ordinance #03-O-1



DWG NO. OMB00115.CDR

## Fred George Road / Goose Creek Developers PROPOSED ANNEXATION

### LEGEND



--- CURRENT CITY LIMITS

■ PROPOSED CITY LIMITS

Lavin, Raoul

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**From:** Arnold, Dwight  
**Sent:** Thursday, December 12, 2002 11:29 AM  
**To:** Lavin, Raoul  
**Cc:** Reid, David; Herman, Robert  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Fred George Road-Goose Creek Developers, Inc

We have reviewed the material sent on the above and it should be noted that most roads in the area are not in the City review area. However, it should be noted that Fred George Rd. from Mission to Old Bainbridge is currently deficient and Mission Rd. from Gearhart to Fred George is approaching deficient status.

If we can be of further assistance please advise.

-----Original Message-----

**From:** Lavin, Raoul  
**Sent:** Tuesday, December 10, 2002 4:35 PM  
**To:** Lavin, Raoul; Herman, Robert; English, James; Hubbard, Valerie; Menendez, Gabriel; Fisher, Brian; Oskowis, Jim  
**Cc:** Reid, David; Miller, Farr; Arnold, Dwight; Anglin, Bertie; Printy, Tom  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

We are revising the name of this annexation to Fred George Road-Goose Creek Developers, Inc as Goose Creek Annexation was causing some confusion. The property is owned by Goose Creek Developers, Inc, and the petition came in under that name.

-----Original Message-----

**From:** Lavin, Raoul  
**Sent:** Tuesday, December 10, 2002 9:04 AM  
**To:** Herman, Robert; English, James; Hubbard, Valerie; Menendez, Gabriel; Fisher, Brian; Oskowis, Jim  
**Cc:** Reid, David; Miller, Farr; Arnold, Dwight; Anglin, Bertie; Printy, Tom  
**Subject:** Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation  
**Importance:** High

We have received a petition for voluntary annexation for the following property:

Parcel ID#: 2117510001000  
Annexation Ordinance #: 03-O-01

In accordance with the City's annexation process, I am requesting your department's input on the proposed annexation:

City Attorney: We would appreciate your review of the proposed annexation to determine compliance with Florida Statutes as it relates to this annexation.

Electric Department: Please provide us with any comments you may have concerning this proposal as well as provide us with cost estimates for street lighting.

Growth Management Department: Please provide us with concurrency information and/or issues as it relates to this property.

Planning Department: Please provide us with your Comprehensive Plan consistency review to include site specific information pertaining to current zoning, land use, and other planning development data that may be significant or of interest in preparing this item for the City Commission.

Public Works Department: Please provide comments you may have concerning this proposal and develop one ordinance that may be presented to the City Commission on January 22, 2003.

Water Utility: Please provide us with any comments you may have concerning this proposal, particularly as it relates to the cost and timing of water and sewer improvements plus any developer rebates.

The attached file provides a map of the area being considered for annexation. Please provide me with you



# MEMORANDUM

*Tallahassee-Leon County  
Planning Department*

**To:** Raoul Lavin, Department of Management Administration  
**From:** Enid Ehrbar, Planning Department  
**Date:** December 20, 2002  
**Subject:** Consistency Review: Annexation, Fred George Road/Goose Creek Developers

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Staff has reviewed the proposed annexation. The information required in Intergovernmental Element Policy 2.1.4 was not supplied to the Planning Department for their review. The Department could find the proposal consistent with the Comprehensive Plan, subject to the following provisions being met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].
- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].
- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

*The following is provided as additional information related to this site:*

- This property is within the old Huntington Woods Development of Regional Impact (DRI).

- This property is presently zoned R-3, which is a zoning category that allows residential dwelling units up to 8 units per acre.
- The zoning may or may not be consistent with what is allowed in the Huntington Woods DRI. In any case, the zoning will need to reflect what is allowed on this property by the DRI. The zoning map needs to reflect the intended use in order to establish the appropriate development standards necessary to complete the intended development. Should a rezoning be required, the Planning Department would recommend that the City Commission initiate the appropriate rezoning concurrent with the adoption of the annexation ordinance.
- There was some question regarding the need for a Notice of Proposed Change (NOPC) to the DRI if the property is annexed into the City. Information from the City Growth Management Department suggests this will not be a concern based on the previous Huntington Woods NOPC. It states that if a property annexes and develops according to the use and density or intensity set forth in the Leon County Development Order, no NOPC will be necessary. However, the annexing party must record a Notice of Annexation with the Clerk of the Circuit Court. The notice shall include the legal description of the annexed property.
- There are a number of environmentally sensitive areas on this property. A large portion of this property is within a 100-year flood plain. This property contains wetlands, significant and severe slopes, potential native or high quality successional forest and all but a small portion of the property is within the special development zone for the Fred George Basin. This special development zone does not allow any development below the 110 foot elevation and 75% of the property in the A zone (108 feet) must be left in a natural state. Although this property does have development potential based on the previously approved DRI, staff would be remiss in not pointing out the practical limitations of this site based on the wetlands, flood plains and other environmental features.



Lavin, Raoul

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**From:** Printy, Tom  
**Sent:** Wednesday, December 11, 2002 10:06 AM  
**To:** Lavin, Raoul  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Fred George Road-Goose Creek Developers Annexation

The City has sewer and water available to the proposed annexation area.  
Let me know when they decide on a development plan.

**Lavin, Raoul**

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**From:** Fisher, Brian  
**Sent:** Thursday, December 12, 2002 8:11 AM  
**To:** Lavin, Raoul  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

Electric Utility comments: This area is presently undeveloped, so there will be no immediate cost for street lighting.

Brian Fisher.



**M E M O R A N D U M**

**TO:** David C. Reid, Director  
Department of Management and Administration

**FROM:** James R. English, City Attorney

**DATE:** February 19, 2003

**SUBJECT:** Voluntary Annexation  
Ordinance No. 03-O-01

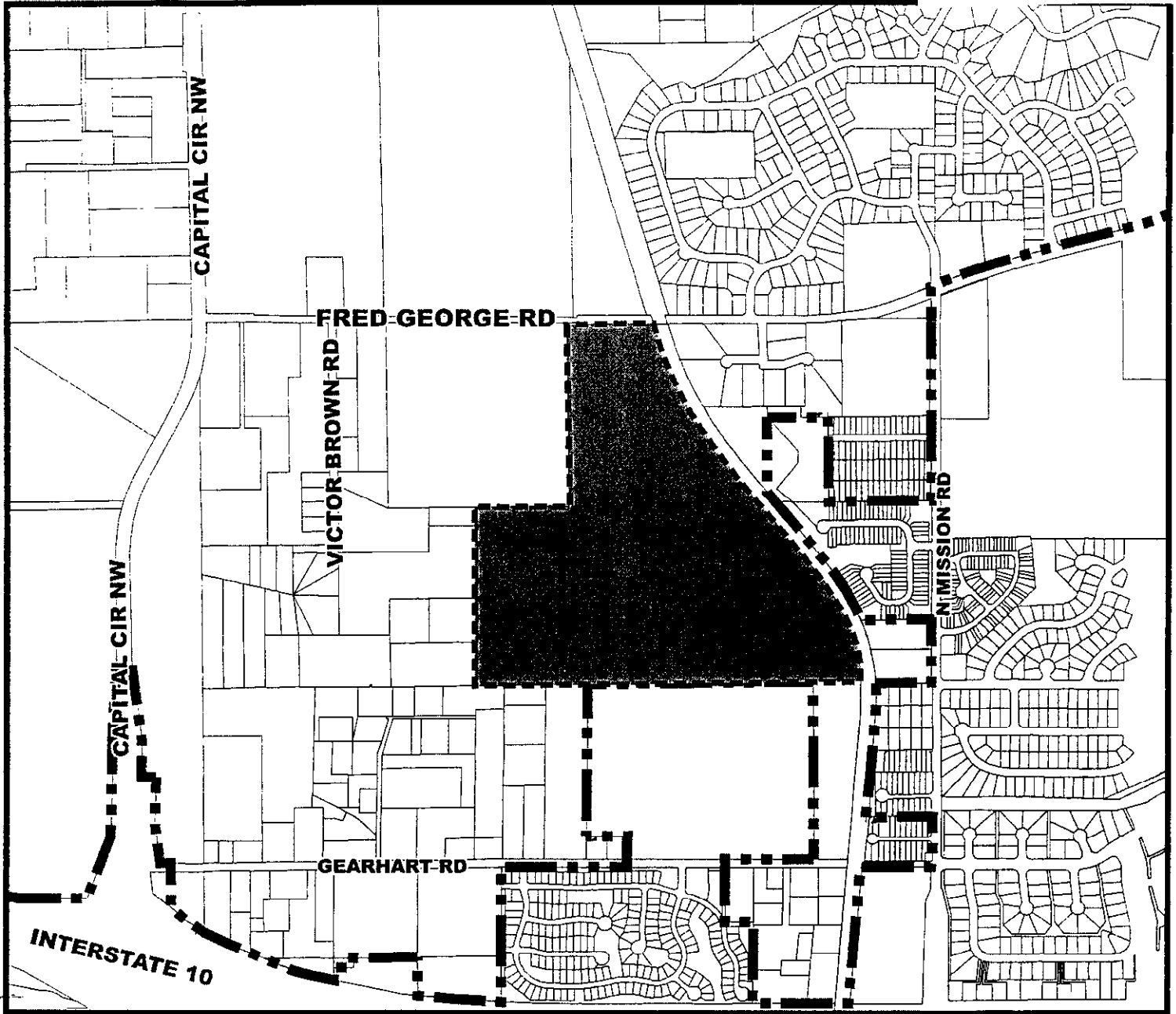
Pursuant to your request, I have reviewed the attached map of the above-referenced area in order to determine if this area meets the geographic requirements for annexation of Florida Statutes, Chapter 171.

After having fully reviewed the appropriate map, I am of the opinion that the area fully qualifies under the statutory requirements of Florida Statutes, Chapter 171.

If I can provide any additional information, please do not hesitate to call.

JRE/pb

attachment



DWG NO. OMB00115.CDR

## Fred George Road / Goose Creek Developers PROPOSED ANNEXATION

### LEGEND



--- CURRENT CITY LIMITS

■ PROPOSED CITY LIMITS

**Lavin, Raoul**

**From:** Hurst, Linda  
**Sent:** Thursday, January 02, 2003 9:40 AM  
**To:** Tedder, Wayne; Lavin, Raoul  
**Cc:** Jumonville, Karen; Bryant, Cherie; Gregory, Jean; Ehrbar, Enid; Herman, Robert  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

I agree. Also, before we can tell whether a NOPC will be required, we need to know what type of development is proposed. It would be a good idea to make sure the petitioner for annexation understands the DRI requirements regard the DRI. Raoul, you may explain it to him/her or refer him/her to Karen or me.

Raoul, the recently adopted ordinance terminating vested rights should not affect this annexation if it is within the Huntington Woods DRI.

*Linda R. Hurst*  
Assistant City Attorney  
Tallahassee, Florida  
850/891-8554

-----Original Message-----

**From:** Tedder, Wayne  
**Sent:** Wednesday, December 18, 2002 11:42 AM  
**To:** Jumonville, Karen; Gregory, Jean; Ehrbar, Enid; Herman, Robert; Hurst, Linda  
**Cc:** Bryant, Cherie  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

We really need to make sure what exactly will be developed on this property to ensure if any rezoning will be necessary.

Thanks,  
Wayne

-----Original Message-----

**From:** Jumonville, Karen  
**Sent:** Wednesday, December 18, 2002 7:37 AM  
**To:** Tedder, Wayne; Gregory, Jean; Ehrbar, Enid; Herman, Robert; Hurst, Linda  
**Cc:** Bryant, Cherie  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

Linda and I discussed this issue prior to the adoption of the Huntington Woods NOPC on December 11th. Section F of the Huntington DO addresses this situation. It states that "The City is aware that additional undeveloped properties within the DRI but currently within Leon County may desire to annex in the future and wants to provide for their inclusion in the terms of this ADO so that NOPCs will not be required simply as a result of annexation. If a property annexes and develops according to the use and density or intensity set forth in the Leon County Development Order, no NOPC will be necessary. However, the annexing party must record a Notice of Annexation with the Clerk of the Circuit Court. The Notice shall include the legal description of the annexed property and the legal description in Exhibit A." Linda, please let me know if I've mistaken anything here. Thanks.

-----Original Message-----

**From:** Tedder, Wayne  
**Sent:** Monday, December 16, 2002 4:09 PM  
**To:** Gregory, Jean; Ehrbar, Enid  
**Cc:** Hurst, Linda; Jumonville, Karen; Bryant, Cherie  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

This is within the Huntington Woods DRI. I believe that they will need to complete a NOPC to bring this into the City. Karen and Linda should address this particular issue. Regardless, the zoning map needs to reflect the intended use in order to establish the appropriate development standards necessary to complete the intended development. I know that they (developers) have been in contact with the County, but no development approvals have been issued. The County Attorney's office is aware of this particular parcel and

the DRI issues.

Thanks for the heads up!

Wayne

-----Original Message-----

**From:** Gregory, Jean  
**Sent:** Monday, December 16, 2002 2:54 PM  
**To:** Ehrbar, Enid; Tedder, Wayne  
**Subject:** FW: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

Enid - please prepare consistency review. Wayne - Val said you wanted to comment on these annexations, so here's your chance. Get your comments to Enid.

-----Original Message-----

**From:** Hubbard, Valerie  
**Sent:** Wednesday, December 11, 2002 9:26 AM  
**To:** Gregory, Jean  
**Cc:** Gerrell, Carol  
**Subject:** FW: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

Please handle. Thanks.

-----Original Message-----

**From:** Lavin, Raoul  
**Sent:** Tuesday, December 10, 2002 4:35 PM  
**To:** Lavin, Raoul; Herman, Robert; English, James; Hubbard, Valerie; Menendez, Gabriel; Fisher, Brian; Oskowis, Jim  
**Cc:** Reid, David; Miller, Farr; Arnold, Dwight; Anglin, Bertie; Printy, Tom  
**Subject:** RE: Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation

We are revising the name of this annexation to Fred George Road-Goose Creek Developers, Inc as Goose Creek Annexation was causing some confusion. The property is owned by Goose Creek Developers, Inc, and the petition came in under that name.

-----Original Message-----

**From:** Lavin, Raoul  
**Sent:** Tuesday, December 10, 2002 9:04 AM  
**To:** Herman, Robert; English, James; Hubbard, Valerie; Menendez, Gabriel; Fisher, Brian; Oskowis, Jim  
**Cc:** Reid, David; Miller, Farr; Arnold, Dwight; Anglin, Bertie; Printy, Tom  
**Subject:** Voluntary Annexation Ordinance 03-O-01: Goose Creek Annexation  
**Importance:** High

We have received a petition for voluntary annexation for the following property:

Parcel ID#: 2117510001000  
Annexation Ordinance #: 03-O-01

In accordance with the City's annexation process, I am requesting your department's input on the proposed annexation:

City Attorney: We would appreciate your review of the proposed annexation to determine compliance with Florida Statutes as it relates to this annexation.

Electric Department: Please provide us with any comments you may have concerning this proposal as well as provide us with cost estimates for street lighting.

Growth Management Department: Please provide us with concurrency information and/or issues as it relates to this property.

Planning Department: Please provide us with your Comprehensive Plan consistency review to include site specific information pertaining to current zoning, land use, and other planning development data that may be significant or of interest in preparing this item for the City Commission.

Public Works Department: Please provide comments you may have concerning this proposal and develop one ordinance that may be presented to the City Commission on January 22, 2003.

Water Utility: Please provide us with any comments you may have concerning this proposal, particularly as it relates to the cost and timing of water and sewer improvements plus any developer rebates.

The attached file provides a map of the area being considered for annexation. Please provide me with your departments comments by no later than Friday, December 20, 2002. Should you have any questions, please feel free to contact me at ext. 8488.

<< File: Omb00115.pdf >>

The file is in Adobe Acrobat pdf format and can be viewed with the free  
Adobe Acrobat Reader  
<http://www.adobe.com/products/acrobat/readstep.html>

ORDINANCE NO. 03-O-01

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:



**FRED GEORGE ROAD-GOOSE CREEK DEVELOPERS INC.**

**COMMENCE** at a the point of intersection of the easterly right-of-way boundary of State Road 263 (Capital Circle) and the Northerly right-of-way boundary of Interstate Highway 10; thence along said Northerly right-of-way boundary of Interstate Highway 10 as follows: South 48 degrees 48 minutes 40 seconds East, a distance of 323.52 feet; thence South 60 degrees 10 minutes 40 seconds East a distance of 281.51 feet; thence South 68 degrees 28 minutes 41 seconds East a distance of 689.20 feet; thence South 78 degrees 36 minutes 32 seconds East a distance of 716.56 feet to the beginning of a curve concave to the Northeasterly having a radius of 11,309.20 feet; thence, along the arc of said curve, from a tangent bearing of South 83 degrees 30 minutes 07 seconds East through a central angle of 03 degrees 36 minutes 19 seconds, a distance of 711.56 feet to the southwest corner of that parcel of property described in Official Record Book 1163, Page 1149 of the Public Records of Leon County, Florida, thence, leaving said right-of-way boundary, North 00 degrees 33 minutes 28 seconds West 995.58 feet to the southerly right-of-way boundary of Gearhart Road; thence, along said southerly right-of-way boundary, North 89 degrees 32 minutes 28 seconds East 908.68 feet; thence, leaving said southerly right-of-way boundary, North 00 degrees 27 minutes 32 seconds West 60.00 feet to an intersection with the northerly right-of-way boundary line of said Gearhart Road at the southeast corner of that parcel of property described in Official Record Book 7, Page 201 of said Public Records leaving said northerly right-of-way boundary line, North 01 degrees 11 minutes 00 seconds East 187.72 feet along the easterly boundary line of said described property; thence, along the northerly boundary line of said described property and Official Record Book 327, Page 149, North 89 degrees 12 minutes 14 seconds West 297.52 feet to an intersection with the easterly boundary line of that property described in Official Record Book 1518, Page 2215 of said Public Records; thence, along said easterly boundary line, North 01 degrees 11 minutes 00 seconds East 1132.32 feet to the northeast corner of said described property and an intersection with the southerly boundary line of that property described in Official Record Book 1240, Page 1278 of said Public Records for the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence, along said southerly boundary line, South 89 degrees 49 minutes 33 seconds West, a distance of 1043 feet, more or less, to the southwest corner of that parcel described in Official Record Book 2688, Page 258 (Tax I.D. 21-17-51-000-1000); thence North 01 degrees 15 minutes 51 seconds West, a distance of 1,317.39 feet to the northeast corner of that parcel of property referenced as Tax I.D. 21-17-51-000-202, said corner being on the southerly boundary of that parcel of property referenced as Tax I.D. 21-17-51-000-201; thence, along the southerly and easterly boundary of said parcel last referenced as follows: South 89 degrees 45 minutes 51 seconds East, a distance of 674.62 feet; thence North 01 degrees 14 minutes 40 seconds West, a distance of 1,314.56 feet to an intersection with the southerly right-of-way boundary of Fred George Road (County Road No. C-263A); thence, along said southerly right-of-way as follows: North 89 degrees 53 minutes 10 seconds East, a distance of 94.45 feet; thence South 03 degrees 26 minutes 50 seconds East, a distance of 7.01 feet; thence North 89 degrees 53 minutes 10 seconds East, a distance of 484.82 feet to the westerly right-of-way

boundary of Seaboard Coast Line Railroad (150 feet wide); thence run southeasterly along said westerly right-of-way boundary as follows: South 16 degrees 40 minutes 33 seconds East, a distance of 45.56 feet to the point of curve to the left having a radius of 2951.06 feet; thence Southeasterly, along the arc of said curve through a central angle of 23 degrees 10 minutes 50 seconds for a distance of 1193.92 feet (the arc of said curve bears South 28 degrees 15 minutes 58 seconds East, a distance of 1,185.80 feet); thence South 39 degrees 51 minutes 23 seconds East, a distance of 994.04 feet to the point of curve to the right having a radius of 1351.99 feet; thence Southeasterly, along the arc of said curve through a central angle of 35 degrees 32 minutes 28 seconds for a distance of 838.65 feet (the arc of said curve bears South 22 degrees 05 minutes 09 seconds East, a distance of 825.27 feet) to an intersection with the southerly boundary of that parcel described in Official Record Book 2688, Page 256-260 ( Tax I.D 21-17-51-000-1000) of the Public Records of Leon County, Florida; thence, leaving said westerly right-of-way boundary South 89 degrees 53 minutes 25 seconds West, along said southerly boundary last referenced, a distance of 1,248.54 feet; thence South 89 degrees 49 minutes 33 seconds West, a distance of 1,470.13 feet to the POINT OF BEGINNING; Containing 100.25 acres, more or less.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2003

PASSED the City Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2003

JOHN MARKS, Mayor

ATTEST:

\_\_\_\_\_  
GARY HERNDON  
City Treasurer-Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
JAMES R. ENGLISH  
City Attorney